

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JEFFREY COLEMAN,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

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CASE NO. 1:16-CV-931

OPINION & ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiff Jeffrey Coleman brings claims for wrongful denial of Period of Disability, Disability Insurance Benefits, and Supplemental Security Income.¹

On December 21, 2012, Administrative Law Judge Sara L. Alston held a hearing on Coleman's benefits application.² The ALJ found that Plaintiff Coleman was not disabled and denied the application.³ On March 5, 2014, the Appeals Council remanded for further proceedings because the hearing decision did not account for Coleman's mental impairments in its Residual Functional Capacity (RFC) Assessment and failed to evaluate Coleman's obesity.⁴

On June 6, 2014, Administrative Law Judge Penny Loucas held a second hearing.⁵ The ALJ found that Plaintiff Coleman was not disabled and denied the application.⁶ The ALJ's decision became final on February 19, 2016, when the Appeals Council declined further review.⁷

¹ Doc. [1](#).

² Doc. [9](#) at 49-109.

³ *Id.* at 172.

⁴ *Id.* at 191-94.

⁵ *Id.* at 21-48.

⁶ *Id.* at 195-212.

⁷ *Id.* at 5-9.

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On February 17, 2017, Magistrate Judge Jonathan D. Greenberg issued a Report and Recommendation recommending that this Court affirm the Administrative Law Judge's denial of benefits.⁸ The parties have failed to file objections by the deadline, March 3, 2017.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection.⁹

Absent objection, a district court may adopt the Magistrate Judge's report without review.¹⁰ Moreover, having conducted its own review of the complaint and administrative record, the Court agrees with the conclusions of the Magistrate Judge.

Accordingly, the Court **ADOPTS** Magistrate Judge Greenberg's findings of fact and conclusions of law and incorporates them fully herein by reference. This Court **ADOPTS** the recommendation of the Magistrate Judge and **AFFIRMS** the ALJ's denial of benefits.

IT IS SO ORDERED.

Dated: March 31, 2017

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁸ Doc. [13](#) at 1.

⁹ 28 U.S.C. § 636(b)(1).

¹⁰ *Thomas v. Arn*, 474 U.S. 140, 149 (1985).